

EXHIBIT 13

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT 41 HON. STEPHEN M. MOLONEY, JUDGE

CONSOLIDATED PROCEEDINGS)
SPECIAL TITLE (RULE 3.550))
)
LAOSD ASBESTOS CASES) JCCP CASE NO. 4674
)
ILENE BRICK,)
) CASE NO. BC674595
)
PLAINTIFF,)
)
VS.)
)
BRENN TAG NORTH AMERICA, INC.,)
ET AL.,)
)
DEFENDANTS.)
)

Certified Transcript

PAGES 151 TO 260

REPORTER'S TRANSCRIPT OF PROCEEDINGS
MAY 31, 2018
P.M. SESSION

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<p style="text-align: right;">Page 167</p> <p>1 Q WHAT THEY ARE SAYING IS, TRACE AMOUNTS BELOW</p> <p>2 1 PERCENT OF ASBESTIFORM MINERALS WOULD RESULT IN</p> <p>3 ASBESTOS EXPOSURES TO BE EXPECTED TO BE EXCEEDINGLY LOW,</p> <p>4 COMPARABLE TO WHAT'S BEING BREATHED IN AMBIENT AIR.</p> <p>5 THAT'S WHAT THAT ARTICLE SAYS, ISN'T IT?</p> <p>6 A THAT IS WHAT IT STATES. IT IS NOT TRUE, BUT</p> <p>7 THAT'S WHAT IT STATES.</p> <p>8 Q THEY MAKE REFERENCE IN HERE TO STUDIES DONE BY</p> <p>9 THE F.D.A. ON THE SAME ISSUE, WHETHER OR NOT EVEN IF</p> <p>10 THERE'S A TRACE AMOUNT OF ASBESTOS OR ASBESTIFORM</p> <p>11 MINERALS IN TALCUM POWDER, WHETHER OR NOT IT CREATES ANY</p> <p>12 RISK OR ANY EXPOSURE HIGHER THAN AMBIENT AIR OR</p> <p>13 BACKGROUND AIR.</p> <p>14 YOU ARE FAMILIAR WITH THAT; RIGHT?</p> <p>15 A I AM FAMILIAR WITH THE TEST. I DON'T KNOW IF I</p> <p>16 AM FAMILIAR THAT THEY ACTUALLY SAID THAT, SIMILAR TO</p> <p>17 THIS.</p> <p>18 Q WE WILL COME BACK TO THAT.</p> <p>19 IF THE F.D.A. HAS SAID THE SAME THING ABOUT THE</p> <p>20 LEVELS OF EXPOSURE TO ASBESTOS, IF IT EXISTS AT ALL IN</p> <p>21 TALCUM POWDER, AND WHETHER IT CREATES ANY RISK OF</p> <p>22 DISEASE AT ALL, ARE YOU SAYING YOU ARE NOT AWARE OF IT,</p> <p>23 OR YOU DON'T REMEMBER IT, OR YOU HAVE NEVER HEARD IT?</p> <p>24 A A, B, OR C. I DON'T RECALL THEM SAYING EXACTLY</p> <p>25 THIS IS WHAT YOU POINTED OUT, THAT LESS THAN OR EQUAL TO</p> <p>26 0.1 PERCENT WOULD NOT CAUSE ANY SIGNIFICANT EXPOSURE</p> <p>27 ABOVE BACKGROUND. THAT'S NOT TRUE.</p> <p>28 Q MY QUESTION TO YOU, DR. LONGO, AND WE CAN COME TO</p>	<p style="text-align: right;">Page 169</p> <p>1 Q SO YOU HAVE NEVER GONE TO THE EFFORT, AND NO ONE</p> <p>2 HAS EVER ASKED YOU TO TURN THE PAGE, READ THE REST OF</p> <p>3 THE STUDY, OR FOLLOW UP TO ANOTHER STUDY AND SEE WHAT</p> <p>4 THE F.D.A. IS REALLY SAYING ABOUT WHETHER THESE PRODUCTS</p> <p>5 SHOULD EVEN HAVE A LABEL ON THEM OR WHETHER THEY HAVE</p> <p>6 ANY RISK? IS THAT TRUE?</p> <p>7 A THAT'S TRUE. I DON'T LOOK AT THE RISK. I</p> <p>8 FOLLOWED UP ON THE F.D.A. TO SEE HOW THEY DID THEIR TEST</p> <p>9 TO MAKE THE KIND OF STATEMENTS LIKE THIS TO HAVE THE</p> <p>10 RIGHT SENSITIVITY. ARE THEY MEASURING THE SAME THING?</p> <p>11 ARE THEY USING THE CONCENTRATION METHOD? WHAT DID THE</p> <p>12 LAB USE? THAT'S WHAT I DID.</p> <p>13 MR. BAILEY: EXCUSE ME. YOUR HONOR, IT'S</p> <p>14 NONRESPONSIVE.</p> <p>15 THE COURT: IN ANSWER TO YOUR QUESTION, HE SAID</p> <p>16 THAT'S TRUE. SINCE IT IS CROSS-EXAMINATION, I WILL</p> <p>17 STRIKE THE REST.</p> <p>18 MR. BAILEY: THANK YOU, YOUR HONOR.</p> <p>19 BY MR. BAILEY:</p> <p>20 Q CAN WE CALL UP NUMBER 8810.</p> <p>21 THIS IS AN AD YOU RAN SOMETIME AROUND 1990 OR</p> <p>22 THEREABOUTS?</p> <p>23 A I THINK IT WAS 1989. FAIRLY ANCIENT THERE.</p> <p>24 Q I WILL LET THAT ONE SIT THERE, DOCTOR.</p> <p>25 LET'S JUST READ ALONG WHAT IT SAID. YOU RAN THIS</p> <p>26 AD EARLY ON IN YOUR CAREER; TRUE?</p> <p>27 A I GUESS IF "EARLY ON" IS SIX YEARS LATER.</p> <p>28 Q WHEN DID YOU OPEN M.A.S.?</p>
<p style="text-align: right;">Page 168</p> <p>1 IT LATER. JUST AS YOU SIT HERE TODAY, DO YOU KNOW</p> <p>2 WHETHER OR NOT THE F.D.A. HAS SAID THE SAME THING -- I</p> <p>3 WILL PUT IT TO YOU THIS WAY. IF THERE IS ANY TRACE</p> <p>4 LEVEL OF ASBESTOS IN THESE TALCS, THERE IS NO RISK TO</p> <p>5 THE PEOPLE USING THEM ABOVE THOSE PEOPLE BREATHING</p> <p>6 BACKGROUND OR AMBIENT AIR?</p> <p>7 DO YOU KNOW WHETHER OR NOT THE F.D.A. HAS</p> <p>8 PUBLISHED THAT?</p> <p>9 A SAME AS THIS, NO, I DON'T RECALL THAT.</p> <p>10 Q YOU TALK ABOUT THE F.D.A.'S SENSITIVITY, THINGS</p> <p>11 OF THAT. THE BIGGER QUESTION IS THIS. DO YOU KNOW</p> <p>12 WHETHER OR NOT THEY HAVE TAKEN A POSITION ON WHETHER OR</p> <p>13 NOT, IF THERE IS ASBESTOS IN ANY OF THESE TALCUM</p> <p>14 PRODUCTS, IT CREATES ANY MEDICAL RISK TO ANYONE USING</p> <p>15 IT?</p> <p>16 DO YOU KNOW WHETHER THEY HAVE TAKEN A POSITION ON</p> <p>17 THAT?</p> <p>18 A THAT, I DON'T KNOW BECAUSE I AM JUST A</p> <p>19 MEASUREMENT GUY. SO I DON'T TALK ABOUT RISK OR HEALTH</p> <p>20 EFFECTS OF IT. JUST HOW MUCH IT IS.</p> <p>21 Q YOU ARE JUST A MEASUREMENT GUY THAT CAN CRITICIZE</p> <p>22 THE MEASUREMENTS THAT PEOPLE USE, BUT WHETHER OR NOT THE</p> <p>23 F.D.A. HAS SAID THERE IS NO RISK, EVEN IF THERE IS</p> <p>24 ASBESTOS AT THIS LEVEL AND IN THESE PRODUCTS, SINCE YOU</p> <p>25 ARE JUST THE MEASUREMENT GUY, YOU DON'T KNOW THAT ONE</p> <p>26 WAY OR THE OTHER; TRUE?</p> <p>27 A I DON'T FOLLOW THE RISK ASPECT OF IT, JUST HOW</p> <p>28 MUCH CONCENTRATION IS THERE.</p>	<p style="text-align: right;">Page 170</p> <p>1 A I OPENED M.A.S. IN -- OPENED THE DOORS IN</p> <p>2 FEBRUARY OF 1988, BUT I STARTED MY CAREER ANALYZING AND</p> <p>3 DOING THIS TYPE OF WORK IN 1983.</p> <p>4 Q SO BAD QUESTION. YOU OPENED YOUR COMPANY IN</p> <p>5 1988, AND BY THE NEXT YEAR, 1989, YOU WERE RUNNING THIS</p> <p>6 AD; CORRECT?</p> <p>7 A YES, SIR.</p> <p>8 Q THAT'S MORE ACCURATE?</p> <p>9 A THAT'S BETTER.</p> <p>10 Q AND YOU TOLD US SINCE THIS AD WAS RUN, YOU'VE</p> <p>11 BEEN TESTIFYING FOR ALMOST 30 YEARS IN COURTROOMS AND</p> <p>12 GIVING DEPOSITIONS; CORRECT?</p> <p>13 A MAYBE 28, 28 YEARS OR SO. FIRST TIME I TESTIFIED</p> <p>14 IN ACTUALLY WAS A CIGARETTE CASE, A TOBACCO CASE IN 1990</p> <p>15 MAYBE. FIRST ASBESTOS CASE WAS IN 1991.</p> <p>16 Q I CAN BRING YOU YOUR DEPOSITION OR SEE IF YOU</p> <p>17 AGREE WITH THIS QUESTION.</p> <p>18 YOU HAVE BEEN TESTIFYING IN COURTROOMS LIKE THIS</p> <p>19 FOR ALMOST 30 YEARS; TRUE?</p> <p>20 A ALMOST, THAT'S TRUE.</p> <p>21 Q AND YOU RAN THIS AD THE YEAR AFTER YOU OPENED</p> <p>22 YOUR BUSINESS IN THE NATIONAL ASBESTOS COUNCIL MAGAZINE;</p> <p>23 TRUE?</p> <p>24 A THAT IS CORRECT.</p> <p>25 Q AND IT READS:</p> <p>26 AT M.A.S. NOT ONLY WILL THE DATA</p> <p>27 SHOW UP IN COURT, SO WILL THE</p> <p>28 PROFESSIONALS WHO DOCUMENTED IT.</p>

10 (Pages 171 to 174)

<p style="text-align: right;">Page 171</p> <p>1 CORRECT?</p> <p>2 A THAT IS -- THAT QUOTE IS A GEORGE YAMATE, BUT</p> <p>3 THAT IS CORRECT.</p> <p>4 Q BUT THIS IS YOUR COMPANY AND YOU KNEW OF THIS.</p> <p>5 YOU'RE SITTING RIGHT IN THE MIDDLE OF IT; RIGHT?</p> <p>6 A YES, I WAS TELLING YOU WHOSE NAME IT WAS UNDER.</p> <p>7 Q THE NEXT HERE SAYS:</p> <p>8 WILL YOUR T.E.M. LABORATORY DATA</p> <p>9 MAKE IT THROUGH THE TOUGHEST MEETING</p> <p>10 OF YOUR LIFE?</p> <p>11 THIS IS THE AD YOU RAN IN THE NATIONAL ASBESTOS</p> <p>12 COUNCIL MAGAZINE; CORRECT?</p> <p>13 A THAT IS CORRECT.</p> <p>14 Q SINCE THAT TIME, DR. LONGO, I THINK YOU TOLD US</p> <p>15 EARLIER THIS MORNING, YOUR COMPANY HAS BILLED ALMOST</p> <p>16 \$30 MILLION IN TESTIFYING IN DEPOSITIONS AND IN</p> <p>17 COURTROOMS; CORRECT?</p> <p>18 A IN TESTING, I THINK THAT'S PROBABLY A FAIR</p> <p>19 ESTIMATE.</p> <p>20 Q SINCE YOU RAN THIS AD, YOU HAVE GIVEN 2,500 TO</p> <p>21 3,000 DEPOSITIONS; TRUE?</p> <p>22 A I BELIEVE THAT'S TRUE.</p> <p>23 Q AND 90 TO 95 PERCENT OF THE TIME THAT YOU APPEAR</p> <p>24 AT TRIAL OR IN DEPOSITION, IT IS ON BEHALF OF THE</p> <p>25 PLAINTIFF; CORRECT?</p> <p>26 A THAT IS CORRECT.</p> <p>27 Q TRYING TO KEEP UP WITH YOUR HOURLY RATE, YOU NOW</p> <p>28 BILL \$550 AN HOUR?</p>	<p style="text-align: right;">Page 173</p> <p>1 Q THE QUESTION I WAS JUST ASKING YOU: I AM GOING</p> <p>2 TO PUT \$30 MILLION. AND TO BE CLEAR, THIS IS FOR LEGAL</p> <p>3 CONSULTATION, DEPOSITIONS, WORK EVALUATION, TRIAL</p> <p>4 TESTIMONY ON BEHALF OF PLAINTIFFS; CORRECT?</p> <p>5 A THAT'S WHAT IT STATES.</p> <p>6 Q THAT'S YOUR TESTIMONY?</p> <p>7 A I BELIEVE SO. NOT EXACTLY CORRECT, BUT THAT'S</p> <p>8 WHAT IT STATES.</p> <p>9 Q CAN WE GO TO THE NEXT TWO LINES. YOU CAN SEE</p> <p>10 THIS IS TESTIMONY GIVEN MAY 15, 2018; CORRECT?</p> <p>11 A I REMEMBER IT WELL.</p> <p>12 Q AND THE NEXT QUESTION WAS:</p> <p>13 THAT WAS BY A COMPANY YOU OWNED</p> <p>14 75 PERCENT OF.</p> <p>15 YOU WILL AGREE YOU SAID "YES, SIR"; CORRECT?</p> <p>16 A I DO OWN 75 PERCENT.</p> <p>17 Q LET'S DO A COUPLE OTHER THINGS BEFORE WE MOVE ON.</p> <p>18 JUST TALK BRIEFLY ABOUT SOME OF YOUR QUALIFICATIONS.</p> <p>19 I KNOW YOU'VE OFFERED SOME OPINIONS ABOUT</p> <p>20 EXPOSURES AND THE LIKE, BUT YOU ARE NOT AN INDUSTRIAL</p> <p>21 HYGIENIST; CORRECT?</p> <p>22 A I AM NOT A CERTIFIED HYGIENIST, NO.</p> <p>23 Q THERE'S A CERTIFICATION YOU GET IF YOU WANT TO GO</p> <p>24 BECOME CERTIFIED IN THE FIELD OF INDUSTRIAL HYGIENE;</p> <p>25 TRUE?</p> <p>26 A THAT IS CORRECT.</p> <p>27 Q YOU ARE NOT A STATISTICIAN; CORRECT?</p> <p>28 A NO, SIR, I AM NOT.</p>
<p style="text-align: right;">Page 172</p> <p>1 A YES, SIR. I BELIEVE THAT'S THE LAST SIX YEARS.</p> <p>2 Q TO MAKE SURE I PHRASE THIS CORRECTLY -- OVER THE</p> <p>3 PAST 30 YEARS M.A.S. HAS BILLED OVER \$30 MILLION FOR</p> <p>4 LEGAL CONSULTATION, DEPOSITIONS, WORK EVALUATION AND</p> <p>5 TRIAL TESTIMONY ON BEHALF OF PLAINTIFFS; CORRECT?</p> <p>6 A OH, NO, THAT WOULD BE ON BEHALF OF PLAINTIFFS AND</p> <p>7 DEFENDANTS, I BELIEVE.</p> <p>8 THE COURT: WHILE YOU ARE LOOKING FOR THAT.</p> <p>9 LADIES AND GENTLEMEN, A DEPOSITION IS A QUESTION AND</p> <p>10 ANSWER SESSION UNDER OATH. IT TAKE PLACE BEFORE TRIAL.</p> <p>11 THE ATTORNEYS ARE PRESENT AND THE WITNESS IS SWORN</p> <p>12 SIMILAR TO THE OATH TAKEN IN COURT. THE QUESTIONS ARE</p> <p>13 UNDER PENALTY OF PERJURY. YOU ARE TO TREAT THE</p> <p>14 TESTIMONY FROM A DEPOSITION BY WHOMEVER IS TESTIFYING AS</p> <p>15 IF IT WAS GIVEN IN COURT.</p> <p>16 BY MR. BAILEY:</p> <p>17 Q ON PAGE 1825 --</p> <p>18 MR. BAILEY: MAY I APPROACH, YOUR HONOR?</p> <p>19 THE COURT: YES.</p> <p>20 THE WITNESS: 1825?</p> <p>21 MR. BAILEY: YES, SIR.</p> <p>22 YOUR HONOR, THIS IS -- TRIAL TRANSCRIPT</p> <p>23 PAGE 1825, LINE 2 THROUGH 8.</p> <p>24 THE COURT: LINE 2 THROUGH 8.</p> <p>25 MR. BAILEY: YES, YOUR HONOR. MAY WE DISPLAY IT?</p> <p>26 THE COURT: YES.</p> <p>27 MR. BAILEY: CAN YOU?</p> <p>28 BY MR. BAILEY:</p>	<p style="text-align: right;">Page 174</p> <p>1 Q JURY HAS HEARD ABOUT EPIDEMIOLOGY. YOU ARE NOT</p> <p>2 AN EPIDEMIOLOGIST?</p> <p>3 A NO, I AM NOT.</p> <p>4 Q OR A GEOLOGIST OR EVEN A MINERALOGIST; CORRECT?</p> <p>5 A I DON'T HAVE A DEGREE IN GEOLOGY OR MINERALOGY,</p> <p>6 NO.</p> <p>7 Q AND WHILE WE'RE MOVING THROUGH THIS, YOU HAVE</p> <p>8 NEVER PUBLISHED A PAPER ON TALC; TRUE?</p> <p>9 A THAT'S TRUE.</p> <p>10 Q YOU HAVE NEVER BEEN TO A TALC MINE ANYWHERE OR</p> <p>11 ANYTIME; CORRECT?</p> <p>12 A THAT IS STILL TRUE.</p> <p>13 Q YOU HAVE NEVER TESTED COSMETIC TALC FOR ANY</p> <p>14 REASON OUTSIDE OF BEING HIRED IN LITIGATION; CORRECT?</p> <p>15 A THAT WOULD BE CORRECT.</p> <p>16 Q THE ONLY TIME YOU HAVE EVER TESTED COSMETIC TALC</p> <p>17 WAS WHEN YOU'RE HIRED BY PLAINTIFF'S ATTORNEYS; CORRECT?</p> <p>18 A THAT'S CORRECT.</p> <p>19 Q AND YOU BEGAN YOUR WORK IN 1990. AND YOU HAVE</p> <p>20 TESTED BRAKES, YOU HAVE TESTED CLUTCHES, YOU HAVE TESTED</p> <p>21 A NUMBER OF THINGS TO EARN THIS \$30 MILLION IN TESTIMONY</p> <p>22 FEES AND TESTING FEES FOR PLAINTIFFS, ALWAYS LOOKING FOR</p> <p>23 WHETHER THERE WAS ASBESTOS IN A PRODUCT; CORRECT?</p> <p>24 A WELL, THE SECOND PART IS INCORRECT. THE</p> <p>25 30 MILLION WOULD BE A COMBINATION OF BOTH BECAUSE THAT'S</p> <p>26 WHAT I WAS AVERAGING. I DIDN'T CATCH, WHEN THAT</p> <p>27 QUESTION WAS ASKED OF ME BEFORE, THAT IT SAID</p> <p>28 PLAINTIFFS. BUT CERTAINLY OUR COMPANY HAS BILLED AND</p>

11 (Pages 175 to 178)

<p style="text-align: right;">Page 175</p> <p>1 OUR LITIGATION PEOPLE THERE, FOR ALL THE PEOPLE THERE, 2 \$30 MILLION OVER THE LAST 30 YEARS. 3 Q YOU DIDN'T CATCH THE QUESTION WHEN YOU WERE ASKED 4 IN COURT LAST TIME ABOUT MAKING \$30 MILLION ON BEHALF OF 5 TESTIFYING FOR PLAINTIFF'S LAWYERS. AND YOUR TESTIMONY 6 NOW IS: THAT IS NOT TRUE, I DIDN'T CATCH THE QUESTION? 7 A I DIDN'T CATCH THE PLAINTIFF PART OF THAT 8 QUESTION. 9 Q ONE OF THE PRODUCTS YOU HAVE TESTED IS KENT 10 CIGARETTES; CORRECT? 11 A YES, SIR, IT IS. 12 Q LET'S TALK ABOUT SOME OF THE PLAINTIFF'S LAW 13 FIRMS YOU'VE WORKED FOR BEFORE MOVING INTO TESTIFYING IN 14 ASBESTOS RELATED CASES. 15 WE TALKED ABOUT YOU TESTING BRAKES, JOINT 16 COMPOUNDS, PIPE INSULATIONS, THINGS LIKE THAT. THAT'S 17 BEEN THE VAST MAJORITY OF YOUR LITIGATION CAREER, HASN'T 18 IT, ON BEHALF OF PLAINTIFFS WHO ARE CLAIMING SOMETHING 19 IN A PRODUCT INJURED THEIR CLIENT? 20 A I THINK THAT'S CORRECT. 21 Q FROM 1990 TO 2016, YOU HAD NEVER DONE ANY 22 EVALUATION OF TALC DESPITE HAVING GIVEN THOUSANDS OF 23 DEPOSITIONS AND EVALUATED HUNDREDS, IF NOT THOUSANDS OF 24 PRODUCTS; TRUE? 25 A I THINK THAT'S TRUE. 26 Q EVERY YEAR IN 1990, PLAINTIFF'S ATTORNEYS HAD YOU 27 COME TO COURT AND TESTIFY ABOUT PRODUCTS YOU HAD TESTED 28 THAT THEY WERE CONTENDING CAUSED MESOTHELIOMA?</p>	<p style="text-align: right;">Page 177</p> <p>1 A YES, SIR. 2 Q DO YOU REMEMBER WHEN YOU FIRST TESTED THOSE AND 3 WHO ASKED YOU TO DO IT? 4 A IT HAS BEEN SO LONG. I HAVE TO BELIEVE IT WAS 5 PLAINTIFF'S ATTORNEYS. 6 Q DO YOU REMEMBER WHO IT WAS WHO SENT THE PRODUCT 7 TO YOU? 8 A IT'S BEEN TOO LONG. 9 Q CAN YOU GIVE US AN ESTIMATE OF HOW MANY YEARS AGO 10 YOU BEGAN EVALUATING WHETHER THESE ASBESTOS CIGARETTES 11 EMITTED CROCIDOLITE FIBERS INTO THE LUNGS OF PEOPLE WHO 12 WERE SMOKING? 13 A I THINK IT STARTED IN THE EARLY 1990'S. 14 Q YOU DON'T REMEMBER WHO IT IS WHO PAID YOU TO DO 15 THIS TEST? 16 A I REMEMBER THEY WERE PLAINTIFF'S ATTORNEYS, BUT 17 IT'S BEEN SO LONG I CAN'T REMEMBER THE NAMES. 18 Q HERE, IF MY RESEARCH IS CORRECT, JUST TWO MONTHS 19 AGO YOU ARE STILL TESTIFYING ON BEHALF OF PLAINTIFF'S 20 ATTORNEYS THAT KENT CIGARETTES CREATE SUBSTANTIAL 21 EXPOSURE TO CROCIDOLITE ASBESTOS. IS THAT TRUE? 22 A THAT IS TRUE. THAT WILL ALWAYS BE MY OPINION. 23 Q IS THAT THE CIGARETTE MICRONITE FILTER THAT YOU 24 TESTIFIED ABOUT AND TESTED? 25 A YES, SIR, IT IS. 26 Q YOU STARTED STUDYING IT IN THE EARLY NINETIES, 27 JUST FROM MY NOTES. DOES THAT SOUND RIGHT? 28 A YES, I THINK THAT'S WHAT I SAID.</p>
<p style="text-align: right;">Page 176</p> <p>1 A NO, THAT'S NOT -- 2 Q CERTAINLY INTO THE LATE NINETIES; CORRECT? 3 A THE LATE NINETIES, THAT'S CORRECT. THE EARLY 4 NINETIES WAS MOSTLY OUR FORENSIC ENGINEERING, REVERSE 5 ENGINEERING -- 6 MR. BAILEY: EXCUSE ME. YOUR HONOR, IT'S 7 NONRESPONSIVE. 8 THE COURT: THE QUESTION WAS: 9 CERTAINLY INTO THE LATE NINETIES; 10 CORRECT? 11 ANSWER: THE LATE NINETIES, 12 THAT'S CORRECT. 13 LET ME JUST EXPLAIN, DOCTOR. AS YOU KNOW, ON 14 DIRECT EXAMINATION YOU ARE ALLOWED TO GIVE A NARRATIVE 15 ANSWER. THEN ON CROSS-EXAMINATION, IF THE QUESTION 16 CALLS FOR YES OR NO, YOU ARE TO GIVE ONE. AND THEN 17 MR. PURDY CAN FOLLOW UP ON ANYTHING THAT IS ASKED BY 18 MR. BAILEY. 19 THE WITNESS: SORRY, YOUR HONOR. I WILL TRY TO 20 KEEP MYSELF IN CHECK OVER THIS. 21 THE COURT: THAT'S FINE. WE WILL JUST CONTINUE. 22 THANK YOU. 23 BY MR. BAILEY: 24 Q I GATHER, FROM THE NUMBERS WE ARE TALKING ABOUT, 25 THIS ISN'T YOUR FIRST TRIP TO THE COURTHOUSE? 26 A I WOULD SAY WE AGREE WITH THAT. 27 Q ALL RIGHT. ONE OF THE PRODUCTS YOU TESTED IN 28 YOUR CAREER HAS BEEN KENT MICRONITE CIGARETTES; CORRECT?</p>	<p style="text-align: right;">Page 178</p> <p>1 Q YOU PUBLISHED THE FINDINGS OF YOUR RESEARCH ON 2 THESE MICRONITE CIGARETTES IN 1995; IS THAT CORRECT? 3 A THAT IS CORRECT. 4 Q IS THIS A TRUE STATEMENT? 5 KENT MICRONITE CIGARETTES ARE 6 PROBABLY THE WORST CONSUMER PRODUCT 7 EVER MANUFACTURED IN THIS COUNTRY. 8 A AT THE TIME I TESTED THEM, THAT WAS MY OPINION, 9 YES. 10 Q AND TWO MONTHS AGO IN A COURT JUST LIKE THIS, 11 THAT WAS YOUR OPINION; CORRECT? 12 A YES, SIR. I HAVE ALWAYS STATED THAT. 13 Q WHAT YOU DID WHEN YOU STUDIED THESE WAS YOU 14 WANTED TO LOOK AND SEE (A), IS THERE ASBESTOS IN THE 15 FILTERS THAT THE MICRONITE CIGARETTES HAD; RIGHT? 16 A YES. 17 Q WAS THERE? 18 A THERE WAS. 19 Q AND THEN THE QUESTION WAS WHAT KIND OF ASBESTOS. 20 WHAT DID YOU LEARN? 21 A WELL, IF YOU LOOK AT THE BLUE, THAT'S A PRETTY 22 GOOD INDICATION THAT IT'S CROCIDOLITE BECAUSE THAT'S THE 23 BLUE ASBESTOS, AND WE VERIFIED THAT. 24 Q AND THESE FILTERS WERE MADE SO THAT THEY WEREN'T 25 PACKED IN THERE SO TIGHTLY SO THAT AIR COULD NOT MAKE 26 THEIR WAY THROUGH IT; CORRECT? 27 A THAT'S CORRECT. 28 Q THAT WAS THE REASON FOR -- I GUESS FOR THE</p>

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I, K. DARLENE LEWIS, CSR NO. 13534, OFFICIAL
REPORTER PRO TEMPORE OF THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY
THAT THE FOREGOING PAGES, 151 THROUGH 260, COMPRISE A FULL,
TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS TAKEN IN THE
ABOVE-ENTITLED CAUSE ON MAY 31, 2018.

DATED THIS 1ST DAY OF JUNE, 2018.



K. DARLENE LEWIS
NO. 13534